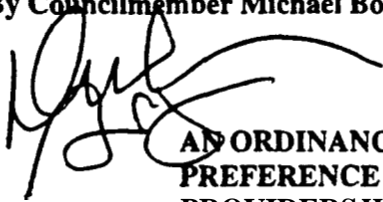


AN ORDINANCE
By Councilmember Michael Bond



G-20

Demetrius, C. T. H.
C. T. H.
00-0-0309

AN ORDINANCE ESTABLISHING AND IMPLEMENTING LOCAL PREFERENCE GUIDELINES FOR BUSINESSES AND SERVICE PROVIDERS WHO ARE LOCATED WITHIN THE GEOGRAPHIC BOUNDARIES OF THE CITY OF ATLANTA, GEORGIA, AND FOR OTHER PURPOSES.

WHEREAS, the economic stability and vitality of the City of Atlanta is a matter of compelling interest, and

WHEREAS, the Atlanta City Council has an interest in promoting economic prosperity for the City of Atlanta, and

WHEREAS, the Atlanta City Council desires to stimulate economic growth by attracting service providers and businesses to locate within the City of Atlanta's geographic boundaries, and

WHEREAS, the metropolitan Atlanta suburbs **are** experiencing strong economic growth and business development, and

WHEREAS, business growth creates new jobs, investments and increases the municipal **tax** base, and

NOW THEREFORE, BE IT ORDAINED, that the following procedures are established to create an incentive for maximizing use of local businesses and service providers through local preference.

SECTION 1:

(1) Definitions.

Local business: a business, vendor, or service provider which has a place of business located within the geographic boundaries of the City of Atlanta.

General services: support services performed by an independent contractor requiring specialized knowledge, expertise that includes but is not limited to janitorial services, pest control, laundry, catering, security, environmental **property**, equipment and building maintenance.

Professional services: means any services where the City of Atlanta is obtaining advice, instruction, or specialized work from an individual, **firm** or corporation specifically qualified in a particular area or discipline.

Goods: means but is not limited to supplies, equipment, materials and printed matter.

(2) Purpose.

The City of Atlanta's Bureau of Planning has determined that available commercial space is not being utilized to its fullest potential. The lack of business activity in these areas contribute to the economic decline and stagnation as well as community deterioration. Local business contracting and purchasing preferences will provide incentives for businesses to locate within the geographic boundaries of the City of Atlanta rather than in the metropolitan suburbs.

(3) Preferences in Contracting and Purchasing of Goods , General Services and Professional Services.

Except where federal or state law prohibits, in any contracting or purchase of property, general services, or goods by means of competitive bidding or a request for proposal, a preference shall be given to business operations that have a place of business within the geographical boundaries of the City of Atlanta.

(4) Comparison of Qualifications

(a) The aforementioned local business preferences in no way prohibits or repeals the right of the City of Atlanta to compare the qualifications or businesses, vendors or individuals or to compare the quality of materials proposed for purchase.

(b) The aforementioned local business preferences in no way prohibits the right of the City of Atlanta from allowing other preferences permitted under law in addition to the herein established preferences.

(5) Establishment of Preference Structure and Administration

The Department of Purchasing and Real Estate shall have the authority to establish a preference guideline and point system for businesses located within the geographic boundaries of the City of Atlanta.

SECTION 2 :- That this ordinance shall become effective upon its adoption.

SECTION 3 :- That all in conflict with this ordinance hereby be repealed, and for other purposes.

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AN ORDINANCE

BY COUNCILMEMBER MICHAEL BOND

C. T. Bond, Darn Gray, Cleta Hines
J. M. Canty 005 D-0319

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965 (GA. LAWS 1965, P. 298, ET. SEQ.) AS AMENDED, TO AMEND SECTION 6-402 OF THE CHARTER OF THE CITY OF ATLANTA, GEORGIA (GA. LAWS 1996, P. 4469, ET. SEQ.), APPROVED APRIL 15, 1996, AS AMENDED, SO AS TO AMEND SUBSECTION (A) TO ADD LOCAL PREFERENCE PROGRAM TO THE LIST OF REQUIREMENTS FOR AWARDS OF CONTRACTS; TO REPEAL CONFLICTING ORDINANCES AND CHARTER PROVISIONS; AND FOR OTHER PURPOSES.

The Council of the City of Atlanta, Georgia Hereby Ordains as follows:

: Section 1: Section 6-402 entitled Purchasing procedures, of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p. 4469, et. seq.), approved April 15, 1996, as amended, is hereby amended as follows:

The phrase, “and any local preference program” is added to the third sentence of the first paragraph of subsection (a) so that as amended, it reads:

(a) The governing body shall prescribe by ordinance or resolution the procedures for all purchases of real and personal property by the city.

The following alternative methods of securing contracts are hereby authorized, as set forth in and defined by ordinances currently effective or hereafter adopted or amended by the city council; competitive sealed bidding; competitive sealed proposals; small purchases not exceeding \$20,000.00; sole-source procurement; emergency procurement; and competitive selection procedures for professional and consultant services.

Awards of contracts shall be made to the most responsible and responsive

firm which complies with the requirements of any existing minority and female business opportunity **development** plans **and any local preference program** as established by city ordinance. The terms “competitive bidding” and “most responsible and responsive firm” shall be defined to include compliance with the requirements **of** any minority and female business participation plan which has been implemented by city ordinance pursuant **to**:

Section 2: A copy of this proposed amendment to the Charter of the City of Atlanta, (GA. Laws 1996, p. 4469, et **seq.**), approved April 15, 1996, **as** amended, shall be filed in the Office of the Municipal Clerk and in the offices of the Clerks of the Superior Courts of Fulton and **DeKalb** Counties and the “Notice of Proposed Amendment to the Charter **of** the City of Atlanta” attached hereto as Exhibit “A” and by reference, made a part hereof, **be** published once a week for three **weeks** in **a** newspaper of general circulation in the City of **Atlanta** and the official organs of Fulton County and **DeKalb** County, and a copy of said advertisement shall be attached to this ordinance prior to its **final** adoption by the Council of the City of Atlanta.

Section 3: All ordinances and charter provisions or parts of ordinances and charter provisions in conflict herewith are hereby repealed.

NOTICE OF PROPOSED AMENDMENT
TO THE CHARTER OF THE CITY **OF** ATLANTA

Notice **is** hereby given that **an** Ordinance has been introduced to amend the Charter of the City of Atlanta (Ga. **Laws**, 1996, p. 4469, et. seq.) approved April 15, 1996, **as** amended, said Ordinance being captioned **as** follows:

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY **OF** ATLANTA ADOPTED UNDER AND **BY VIRTUE** OF THE AUTHORITY **OF** THE MUNICIPAL HOME RULE ACT OF **1965** (GA. LAWS **1965**, P. **298**, ET. SEQ.) AS AMENDED, TO AMEND SECTION **2-102** **OF THE CHARTER OF THE CITY OF** ATLANTA, GEORGIA (GA. LAWS **1996**, P. **4469**, ET. SEQ.), APPROVED APRIL **15, 1996**, AS AMENDED, **SO** AS TO AMEND SUBSECTION (A) TO ADD LOCAL PREFERENCE PROGRAM TO THE LIST OF REQUIREMENTS FOR AWARDS OF CONTRACTS; TO REPEAL CONFLICTING ORDINANCES AND CHARTER PROVISIONS; AND FOR **OTHER** PURPOSES.

A copy of the proposed Ordinance and Charter Amendment **is** on file in the **Office** of the Municipal Clerk of the City of Atlanta and in the Offices of the clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia for the purpose of examination and inspection by the public.

This _____ day of _____, 2000.

Municipal Clerk

“Exhibit A”